HONOURABLE MRS JUSTICE T.MEENA KUMARI
&
HONOURABLE MS JUSTICE G. ROHINI

WRIT APPEAL No:1080 OF 2007

Dated: 26.12.2007

Between:

Sri Venkateshwara Garmeena Bank
Rep., by its Chairman, Head Office
Chittoor, Chittoor District.

..Appellant

And

N. Chandra Shekar Reddy.

..Respondent

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HONOURABLE MRS JUSTICE T.MEENA KUMARI
&
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WRIT APPEAL No:1080 OF 2007

JUDGMENT: (per Hon'ble Smt. Justice T. Meena Kumari)

The present writ appeal is preferred by the appellant aggrieved by an order, dated 8.9.2007 passed by the learned Single Judge in WVMP No.1133 of 2006 & WPMP No.10302 of 2006 in W.P.No.8046 of 2006.

The respondent herein is the writ petitioner. He filed the above writ petition challenging the action of the appellant in not issuing the hall ticket for written test scheduled to be held on 23.4.2006 for promotion of Officer Scale I to Scale II cadre, on the ground that he has not completed three years period from the date of award of censure on 29.4.2005.

On 21.4.2006, while admitting the writ petition, the learned Single Judge directed the appellant to permit the writ petitioner to appear for the written test scheduled to be held on 23.4.2006 and not to declare the results. Hence, the appellant-Bank moved WVMP seeking to vacate the said interim order.

The learned Single Judge having observed that in the counter filed on behalf of the appellant-bank, it is stated that the petitioner was permitted to appear for the written test, but it is not stated as to whether the petitioner was also subjected to oral interview as required, directed the respondent that if there is any necessity, the writ petitioner shall also be subjected to oral interview and declare the results as per law. Having aggrieved by the same, the present appeal has been preferred by the Bank.

Heard the learned Counsel and perused the material available on record.

The learned Counsel for the appellant-Bank contended that as per the regulations of the Bank, the writ petitioner is not entitled to any promotion during the period of punishment i.e., between 29.4.2005 and 29.4.2008.

In the above facts and circumstances and in view of the fact that the writ petition is pending with regard to the punishment and in view of the fact that the promotion process is going on, without expressing any opinion on the merits of the case, We feel it expedient to dispose of the writ petition on or before 10.3.2008 after hearing both the parties. Till such time, there shall be stay of operation of orders in WVMP No.1133 of 2006.

Subject to the above direction, the writ appeal is disposed of. No order as to costs.

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Justice T. Meena Kumari

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Justice G. Rohini

Date: 26th December, 2007
Nn/Gurc.

HONOURABLE MRS JUSTICE T.MEENA KUMARI
&
HONOURABLE MS JUSTICE G. ROHINI

WRIT APPEAL No:1080 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

26.12.2007

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